

Federal Property Management Regulations

§ 101-6.405

(1) Each determination and contingency determination must be submitted to Congress in accordance with procedures set forth in § 101-6.404. When a contingency determination is exercised, supplemental information on the specific situation, as outlined in paragraph (c) of this section, must also be provided to Congress. Such documentation must be easily available within the agency for audit. Additional guidance concerning determinations is contained in § 101-6.405.

(2) The initial duration of a determination shall not exceed 15 calendar days. Should the circumstances justifying home-to-work transportation continue, the head of a Federal agency may approve a subsequent determination of not more than 90 additional calendar days. If at the end of the subsequent determination, the underlying circumstances continue to exist, the head of the Federal agency may authorize an additional extension of 90 calendar days. This process may continue as long as required by the circumstances.

§ 101-6.404 Reports.

Each initial determination and contingency determination, as well as supplemental information on each situation where a contingency determination is exercised, prepared under § 101-6.403(c) shall be submitted to Congress promptly, but not later than 60 calendar days after approval. An agency may consolidate any subsequent determinations into a single report and submit them quarterly. Determinations and reports shall be sent to:

Chairman, Committee on Governmental Affairs, United States Senate, suite SD-340, Dirksen Senate Office Building, Washington, DC 20510.

Chairman, Committee of Governmental Operations, United States House of Representatives, suite, 2157, Rayburn House Office Building, Washington, DC 20515.

§ 101-6.405 Additional guidance.

(a) House of Representatives Report No. 99-451 99th Cong., 1st Sess. (1985) clearly indicates the intent of Congress to eliminate abuse of home-to-work transportation. The report notes, on p. 7, that:

The provision for "field work" is meant to cover an employee of [a Federal] agency whose job requires the employee's presence at various locations that are at a distance from [the employee's] place of employment * * *. Examples of such employees include, but are not limited to, mine inspectors, meat inspectors, and certain other law enforcement officers, whose jobs require travel to several locations during the course of a workday. However, the field work exception may not be used (1) when the [employee's] workday begins at his or her official [G]overnment duty station, or (2) when the [employee] normally commutes to a fixed location, however far removed from his or her official duty station (for example, auditors or investigators assigned to a defense contractor plant). Although their daily work station is not located in a [G]overnment office, these [employees] are not performing "field work" * * *. Like all [G]overnment employees, [employees] working in a "field office" are responsible for their own commuting costs.

The report also states in the same section that the legislation is intended to allow home-to-work transportation for medical officers on outpatient service. The guidelines contained in the report, as well as the *Congressional Record* (daily ed. October 10, 1986, pp. S 15865-15868), should provide an adequate basis for an agency to determine which of its employees may be authorized home-to-work transportation.

(b) Additional examples of employees who may perform field work include, but are not limited to, quality assurance inspectors, construction inspectors, customs inspectors, dairy inspectors, revenue officers, compliance investigators, and personnel background investigators. The assignment of an employee to such a position does not, of itself, entitle an employee to receive daily home-to-work transportation. When authorized, such transportation should be provided only on days when the employee actually performs field work, and then only to the extent that such transportation will substantially increase the efficiency and economy of the Government.

(c) Instances may occur when an employee, by the nature of his/her job, is designated as being authorized home-to-work transportation under the field work provision. However, circumstances may require that field work only be performed on an intermittent basis. In those instances, the